GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

STARRED QUESTION NO:269
ANSWERED ON:04.08.2016
Fast Track Courts
Pandey Shri Ravindra Kumar

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the courts have the right to appoint amicus curiae and order hearing of cases in Fast Track Court (FTC) at any time, if so, the details thereof;

(b) whether the Supreme Court has decided to hear cases related to crimes against women specially Delhi gang rape case of December, 2012 in FTC, if so, the detail thereof; and

(c) the step taken/being taken by the Government for expeditious disposal of pending cases and to fill up the vacant posts in the courts?

Answer

A N S W E R
MINISTER OF LAW AND JUSTICE AND ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)

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(a) to (c): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (c) OF THE LOK SABHA STARRED QUESTION NO.269 FOR 4TH AUGUST, 2016 REGARDING FAST TRACK COURTS
â€¦â€¦.

(a): If a petition is received from the jail or in any other criminal matter, if the accused is unrepresented, then an Advocate is appointed as amicus curiae by the Court to defend and argue the case of the accused. In civil matters also, the Court can appoint an Advocate as amicus curiae if it thinks it necessary in case of an unrepresented party. The Court can also appoint amicus curiae in any matter of general public importance or in which the interest of the public at large is involved.
(b): A three Judges Bench of the Supreme Court is currently hearing the SPL (Crl.) No.3119-3120 of 2014 (Mukesh & Anr. Vs. State of NCT of Delhi & Ors) relating to Delhi gang rape case every Monday and Friday.
(c): Government has adopted a coordinated approach to assist judiciary for phased liquidation of arrears and pendency in judicial systems, which, inter-alia, involves better infrastructure for court including computerisation, increase in strength of judicial officers/judges, policy and legislative measures in the areas prone to excessive litigation and emphasis on human resource development .
The filling of vacancies of judges/judicial officers in District and Subordinate Courts is within the domain of State Governments and High Courts concerned. For filling of vacancies in District and Subordinate Courts, the matter is regularly pursued with the High Courts. Supreme Court is monitoring the recruitment of Subordinate Judiciary in Malik Mazhar Sultan & Another versus U.P. Public Service Commission & Others.
The sanctioned strength of High Court Judges has increased from 906 judges in June 2014 to 1079 in June 2016. The fresh appointments to the higher judiciary could not be made during the period the constitutional validity of National Judicial Appointment Commission was sub-judice. However, after pronouncement of the judgement of the Supreme Court, while working on the new draft of Memorandum of Procedure, Government took initiative to resume the process of appointments and 110 Additional Judges of High Courts have been made Permanent Judges and 52 fresh appointments of Judges of High Courts have been made during the year 2016. Four fresh appointments of Judges of the Supreme Court have also been made in 2016.